



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs E Metoda

**Respondents:** (1) Nutrifit Care Limited (In Creditors Voluntary Liquidation.)  
(2) The Secretary of State for Business and Trade

**Heard at:** Manchester Employment Tribunal  
**On:** 22 May 2024

**Before:** Employment Judge Eeley

## Representation

**Claimant:** In person

**Respondents:** Did not attend and were not represented.

# JUDGMENT

1. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of **£3037.50**.
2. The complaint of breach of contract in relation to notice pay is well-founded.
3. The first respondent shall pay the claimant **£2025** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
4. The complaint in respect of holiday pay is well-founded. The first respondent failed to pay the claimant in accordance with regulation 14(2) and/or 16(1) of the Working Time Regulations 1998. The claimant is entitled to 20 days' holiday pay per year for the last two years of her employment (40 days in total.)
5. The first respondent shall pay the claimant **£1800** in respect of 40 days accrued but untaken annual leave for the last two years of employment. The claimant is responsible for paying any tax or National Insurance.

6. The claimant's claim for unauthorised deductions from wages in respect of working from home allowance of £6 per week is not well founded and is dismissed.

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Employment Judge Eeley

Date: 23 May 2024

JUDGMENT SENT TO THE PARTIES ON

10 June 2024

FOR THE TRIBUNAL OFFICE

**Notes**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2403088/2023**

Name of case: **Mrs E Metoda** v **1. Nutrifit Care Ltd (in creditor's voluntary liquidation)**  
**2. Secretary of State for Business and Trade**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 10 June 2024

**the calculation day** in this case is: 11 June 2024

**the stipulated rate of interest** is: **8% per annum.**

For the Employment Tribunal Office